

RESPONSE TO RESTRICTION REQUIREMENT
U.S. Appln. No. 09/842,637

Claim 3. (Twice Amended) The method as claimed in claim 9, wherein said antibiotic is used at a concentration of 25 to 150 µg/ml with bacteria present at a concentration of 10⁵ to 10⁹ bacteria/ml. C2

Claim 4. (Twice Amended) The method as claimed in claim 9, wherein said bacteria are selected from the group consisting of *Staphylococcus aureus*, *Escherichia coli*, *Haemophilus influenzae*, *Streptococcus pyogenes*, *Streptococcus gordonii* and *Mycobacterium tuberculosis*. C1 word.

Claim 5. (Twice Amended) The method as claimed in claim 9, wherein said bacteria are *Mycobacterium tuberculosis* and said antibiotic is rifampicin. Sub D1

Claim 6. (Twice Amended) The method as claimed in claim 9, wherein said bacteria are *Escherichia coli* and said antibiotic is kanamycin.

Claim 7. (Twice Amended) The method as claimed in claim 9, wherein said bacteria are *Staphylococcus aureus* and said antibiotic is ampicillin.

Claim 9. (Twice Amended) A method for assessing the antibacterial activity of a test compound or agent or for isolating a compound or agent having antibacterial activity against stationary phase bacteria comprising the steps of: Sub D2

(i) preparing a phenotypically antibiotic-resistant subpopulation of stationary phase bacteria according to the method comprising at least the steps of: C2

(a) growing a bacterial culture to stationary phase to obtain a stationary phase culture; and